

Applicants : Gary Beaudry and Paul J. Maddon
Serial No. : 08/485,163
Filed : June 7, 1995
Page 9

Exhibit A

Please amend the paragraph on page 19, lines 3-12 as follows:

--Five expression vectors and two plasmids designated CD4-IgG2-Rf, CD4-IgG1-Rf, CD4-IgG1HC-pRcCMV, CD4-IgG2HC-pRcCMV, CD4-kLC-pRcCMV, CD4-IgG1-pcDNA1, and CD4-IgG2-pcDNA1, respectively have been deposited with the American Type Culture Collection, [Rockville, Maryland, U.S.A. 20852] 10801 University Boulevard, Manassas, Virginia 20110-2209, under ATCC Designation Nos. 40949, 40950, 75192, 75193, 75194, 40951, and 40952, respectively. These deposits were made pursuant to the provisions of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (Budapest Treaty). The deposits with ATCC Designation Nos. 40949, 40950, 40951, and 40952 were deposited on January 31, 1991. The deposits with ATCC Designation Nos. 75192, 75193 and 75194 were deposited on January 30, 1992.--



American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301)231-5520 Telex: 898-055 ATCCNORTH • FAX: 301-770-2587

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

John P. White, Esq.
Cooper & Dunham
30 Rockefeller Plaza
New York, NY 10112

FEB 11 1991

Deposited on Behalf of: Progenics Pharmaceutical, Inc. (Docket #37690)

Identification Reference by Depositor:

ATCC Designation

Plasmids, M13mp18 replicative form (Rf) DNA, CD4-IgG2-Rf	40949
Plasmids, M13mp18 replicative form (Rf) DNA, CD4-IgG ₁ -Rf	40950
Plasmids, CD4-IgG ₁ -pcDNA1	40951
Plasmids, CD4-IgG ₁ -pcDNA1	40952

The deposits were accompanied by: ☐ a scientific description ☐ a proposed taxonomic description indicated above.

The deposits were received January 31, 1991 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years after the date of deposit, and for a period of at least five years after the most recent request for a sample. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested February 7, 1991. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Bobbie A. Brandon
Bobbie A. Brandon, Head, ATCC Patent Depository

Date: February 7, 1991

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BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

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John P. White, Esq.
Cooper & Dunham
30 Rockefeller Plaza
New York, NY 10112

Deposited on Behalf of: Progenics Pharmaceuticals, Inc. (Docket #37690-II-PCT)

Identification Reference by Depositor:

ATCC Designation

Plasmid, CD4-IgG ₁ HC-pRcCMV	75192
Plasmid, CD4-IgG ₁ HC-pRcCMV	75193
Plasmid, CD4-kLC-pRcCMV	75194

The deposits were accompanied by: ☐ a scientific description ☐ a proposed taxonomic description indicated above.

The deposits were received January 30, 1992 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains.

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The strains will be maintained for a period of at least 30 years after the date of deposit, and for a period of at least five years after the most recent request for a sample. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested February 6, 1992. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Bobbie A. Brandon
Bobbie A. Brandon, Head, ATCC Patent Depository

Date: February 10, 1992

Applicants : Gary A. Beaudry and Paul J. Maddon
U.S. Serial: 08/485,372
Filed : June 7, 1995
Exhibit C

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